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House Bill _____
By _____

Senate No. SB1490
By Crowe

AN ACT to amend Tennessee Code Annotated, Title 49, relative to education, and to make appropriations for the purpose of providing funds to the Division of Adult and Community Education of the Department of Education for use in adult literacy programs. This act makes appropriations to effectuate its purpose for fiscal years 1995-1998.

WHEREAS, the adult illiteracy and adult undereducation are recognized as crippling social and economic conditions that currently affect more than forty percent (40%) of adult Tennesseans who have less than a high school education; and

WHEREAS, many of these adult Tennesseans are unable to enter and compete in an increasingly complex workplace; and

WHEREAS, if adult literacy education needs are not fully met, the state may be forced to increase its financial support of these adults through unemployment compensation, welfare payments and other social services; and

WHEREAS, a comprehensive, statewide legislative program is required to combat effectively adult illiteracy; and

WHEREAS, a stable source of funding for adult literacy education is essential for a successful statewide program; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the “Adult Functional Literacy Act”.

SECTION 2. It is the intention and purpose of the general assembly to provide funding to the division of adult and community education of the Tennessee department of education to effectuate an intensive, year-round adult functional literacy program to be delivered to adult Tennesseans who have less than a high school education. To facilitate this goal, the division shall coordinate both governmental and private efforts to promote adult functional literacy through teacher and student recruitment, community program development and program evaluation reporting.

SECTION 3. As used in this act, unless the context otherwise requires:

(1) “Adult Tennessean” means a resident of the state who is seventeen (17) years of age or older.

(2) “Educational proficiency levels” of adult Tennesseans are to be determined through the use of a national standardized testing format such as the Adult Basic Learning Examination (ABLE).

(3) “Adult functional literacy education” is instruction in basic reading, math and English skills.

(4) “Eligible” individuals include those adult Tennesseans who have less than a twelfth grade educational proficiency level in basic reading, math and English skills.

(5) “Adult functional literacy providers” may include, but are not limited to, school systems, area vocational-technical schools, community colleges, literacy councils, local libraries, clubs, church groups, businesses and service organizations.

(6) “Division” refers to the division of adult and community education of the department of education.

SECTION 4.

(a) There is appropriated annually the sum of four dollars (\$4.00) for each adult Tennessean who has less than a high school education. The number of adult Tennesseans with less than a high school education shall be determined from the most current U.S. Bureau of the Census information. This funding shall be in addition to any available state, federal or other funds available for adult literacy education.

(b) Funds allocated under this act shall be considered non-discretionary and are to be allocated to local education and adult functional literacy providers on the basis of the potential population to be served.

(c) This appropriation shall be made annually for the fiscal years 1995-1998.

(1) Of the total annual fiscal year appropriation, not less than fifty percent (50%) shall be used for adult functional literacy education of adult Tennesseans with less than a fifth grade educational proficiency level.

(2) Of the total annual fiscal year appropriation, not more than thirty percent (30%) shall be used for adult functional literacy education of adult Tennesseans with less than a ninth grade educational proficiency level, but more than a fifth grade educational proficiency level.

(3) Of the total annual fiscal year appropriation, not more than twenty percent (20%) shall be used for adult functional literacy education of adult Tennesseans with a ninth through twelfth grade educational proficiency level.

(4) Of the total annual fiscal year appropriation, not more than five percent (5%) shall be used for the administrative costs of the division.

SECTION 5.

(a) In order to accomplish the goals set out in Section 2 of this act, the division shall distribute funds to provide adult literacy education in each county, with such services being located in, but not limited to, public housing, work places, correctional institutions, community colleges, local libraries, churches and schools.

(b) The objectives of this act shall be the following:

(1) To provide effective small group and individual instructional programs in each county;

(2) To establish a network of well-trained adult functional literacy instructors;

(3) To collect data in order to document and evaluate the services provided to accurately determine which methods of literacy education are most effective in promoting adult functional literacy;

(4) To implement a statewide public awareness program aimed at the recruitment of students and volunteer instructors, as well as gaining the cooperation of industry and employers;

(5) To develop appropriate curriculum guidelines; and

(6) To provide educational materials and supplies appropriate to each instructional level.

(c) Efforts shall be made to encourage, recognize and assist private literacy education efforts offered by, but not limited to, individuals, clubs, church groups, businesses and service organizations.

(d) The division shall adopt such procedures, rules and forms as may be necessary to implement this program. Application shall be made to the division in such form and at such time as the executive director may prescribe. Funds received under this act may be used in conjunction with funds received from any other public or private source.

SECTION 6.

(a) Adult functional literacy providers who receive funds allocated by this act shall make biannual reports to the division. These reports shall include, but shall not be limited to, names of persons served, attendance records, test results and financial records. Failure to comply with program requirements may result in the adult functional

literacy provider's loss of funding. Further, the division may demand that the adult functional literacy provider repay previously allocated funds which were distributed during the period of noncompliance.

(b) The division may audit records of any adult functional literacy education provider which relate to funds received pursuant to this act.

(c) The division shall provide an annual report to the general assembly that describes the adult functional literacy education services provided during the prior fiscal year.

SECTION 7. The provisions of this act are declared to be remedial in nature and all provisions of this act are to be liberally construed.

SECTION 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 9. This act shall take effect on July 1, 1995, the public welfare requiring it.